
Public Utilities Commission of the State of California

Public Agenda 3103a ADDENDUM to Agenda 3103

Rev. 12/27/02

Monday, December 30, 2002, 11:00 a.m.

San Francisco, California

Commissioners

Loretta M. Lynch, President

Henry M. Duque

Carl W. Wood

Geoffrey F. Brown

Michael R. Peevey

For each agenda item, a summary of the proposed action is included; the Commission's decision may, however, differ from that proposed.

Website: <http://www.cpuc.ca.gov>

Scheduled Commission Meetings 505 Van Ness Avenue, San Francisco

<i>Ratesetting Deliberative Meeting*</i> <i>Room 5305</i> <i>(1:30 p.m.)</i> <i>Closed to the Public</i>	<i>Commission Meeting</i> <i>Auditorium</i> <i>(10 a.m.)</i> <i>Open to the Public</i>
No Meeting Scheduled	Monday, December 30, 2002 (San Francisco at 11:00 A.M.)
No Meeting Scheduled	Tuesday, January 7, 2003 [San Francisco at 1:30 P.M. (Closed Session Only)]
Monday, January 13, 2003 (San Francisco)	Thursday, January 16, 2003 (San Francisco)

**Ratesetting Deliberative Meeting dates are reserved as noted but will be held only if there are ratesetting matters to be considered and a Commissioner has requested that a Ratesetting Deliberative Meeting be held.*

Matters of Public Interest

For the convenience of the public and media representatives, items of widespread public interest will be taken up at the beginning of the meeting.

*For further information contact the Public Advisor
(415) 703-2074 E-mail: public.advisor@cpuc.ca.gov*



This location is accessible to people with disabilities. If specialized accommodations for the disabled are needed, e.g. sign language interpreters, please call the Public Advisor at (415) 703-2074 or TTY# (415) 703-5282 or toll free # 1-866-836-7825 three business days in advance of the meeting.

PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda; these are HEX and EX items.

REGULAR AGENDA

ORDER

14 R93-04-003 - Rulemaking on the Commission's Own Motion to Govern
1520 Open Access to Bottleneck Services and Establish a Framework for
Network Architecture Development of Dominant Carrier Networks.

I93-04-002, R95-04-043, I95-04-044 – Related matters. This order concludes the Commission's inquiry into whether Pacific Bell Telephone Company has satisfied Section 709.2(c) of the Public Utilities Code in association with its Application for Interstate InterLATA Authority per Section 271 of the Telecommunications Act of 1996.

(Com Brown – ALJ Reed)

Pub. Util. Code § 311 – This item was mailed for Public Comment

15 R01-10-024 - Order Instituting Rulemaking to Establish Policies and
1571 Cost Recovery Mechanisms for Generation Procurement and
Renewable Resource Development.

In this decision, the Commission grants, with modifications, the emergency motion filed by San Diego Gas & Electric Company (SDG&E) on December 23, 2002. SDG&E seeks suspension of Standard of Conduct #7, as adopted in D.02-10-062 and clarified in D.02-12-074. The Commission grants a narrow exemption to Standard of Conduct #7 for those procurement contracts entered into to satisfy the requirements of the first quarter 2003, January 1 - March 31, 2003, inclusive. This exemption also applies to Pacific Gas and Electric Company and Southern California Edison Company. This matter is added to the agenda pursuant to Government Code § 11125.3(a)(2).

(Com Lynch – ALJ Minkin)

Pub. Util. Code § 1701.1 – This proceeding is categorized as Ratesetting.

12/27/02 - This item was not listed on the agenda distributed to the Public.

UTILITIES RESOLUTIONS AND WRITTEN REPORTS

ENERGY MATTERS

**E-4
1348** **Res G-3334 – Southern California Gas Company (SoCalGas).**
SoCalGas proposes an implementation schedule, tariffs, and rules to implement the Gas Industry Reform Decision 01-12-018 (GIR Decision). This resolution denies the advice letters without prejudice, and orders SoCalGas to file an application to implement the GIR Decision. (Advice Letter (AL) 3100-A filed January 28, 2002; AL 3105 filed January 2, 2002; AL 3109-A filed February 13, 2002; AL 3112 filed January 30, 2002; AL 3117 filed February 2, 2002; AL 3123-A filed March 19, 2002; AL 3146 filed May 1, 2002; AL 3147 filed May 2, 2002; and AL 3174 filed July 23, 2002.)
Pub. Util. Code § 311 – This item was mailed for Public Comment (Agenda 3102, Item E-4 12/5/2002 (Wood))

**E-4a
1345** **ALTERNATE TO ITEM 1348**
SoCalGas requests an implementation schedule, tariffs and rules to implement the Gas Industry Reform Decision 01-12-018 (GIR Decision). This resolution establishes a schedule for implementation of that decision, orders workshops to resolve issues in the unbundling of intrastate transmission and storage, and orders SoCalGas to file supplemental advice letters on transmission and storage upon completion of the workshops. (Advice Letter (AL) 3109-A filed February 13, 2002, AL 3117 filed February 2, 2002, AL 3123-A filed March 19, 2002, AL 3146 filed May 1, 2002 and AL 3147 filed May 2, 2002.)
(Comr Brown)
Pub. Util. Code § 311 – This item was mailed for Public Comment (Agenda 3102, Item E-4a 12/5/2002 (Wood))

CLOSED SESSION

This notice is furnished under Government Code Sections 11125 and 11126.3. The Commission will meet in Closed Session following the Public Session of its regularly scheduled meeting. In the Closed Session, the Commission may consider personnel matters as provided under Government Code Section 11126(a), institution of proceedings or disciplinary actions against any person or entity under the jurisdiction of the Commission as provided under Government Code Sections 11126(d)(2) and 11126(e)(2)(C)(i), and pending litigation as provided under Government Code Section 11126(e). Additional items may be added to the closed session agenda pursuant to Gov. Code Section 11126.3(d). If in Closed Session the Commission votes to appoint, employ, or dismiss a public employee, the Commission will thereafter reconvene in Open Session to make the disclosures required by Government Code Sections 11125.2 and 11126.3(f).

NON-FEDERAL ITEMS

ORDERS

- EX-4** **Personnel Matters**
1447 Consideration of appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee.
Gov. Code § 11126(a), allows this item to be considered in Closed Session
- EX-9** **Conference with Legal Counsel – Existing Litigation**
1523 Greenlining Institute, et al. v. Public Utilities Commission (Pacific Telephone Company, Real Party in Interest) California Court of Appeal, AO98037.
Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session

**EX-11
1551**

A00-11-038 – Conference with Legal Counsel – Application for Rehearing.

A00-11-056, A00-10-028 – Related Matters. Disposition of Application for Rehearing of D02-11-074 filed by The California Manufacturers and Technology Association, The California Industrial Users and The California Large Energy Consumers Association. D02-11-074 modified D02-10-063 by exempting residential sales up to 130% of baseline in all three service territories. D02-10-063 adopted a methodology for setting charges to recover bond-related costs incurred by the Department of Water Resources. Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session

FEDERAL ITEMS

**FEX-2
1450** **Case No. 01 30923 DM - Conference with Legal Counsel - Existing Litigation.**
Pacific Gas and Electric Company (Debtor), United States Bankruptcy Court, Northern District of California, San Francisco Division, Case No. 01 30923 DM.
Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session

**FEX-7
1547** **FERC Docket No. EL02-60-000 - Conference with Legal Counsel - Existing Litigation.**
Case Name Unspecified (Disclosure of case name would jeopardize existing settlement negotiations.)
Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session

**FEX-8
1548** **FERC Docket No. EL02-60-000 - Conference with Legal Counsel - Existing Litigation.**
Case Name Unspecified (Disclosure of case name would jeopardize existing settlement negotiations.)
Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session

